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PATENT

Attorney Docket No.: 14089-002540

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on FEBRUARY 23, 2000
TOWNSEND and TOWNSEND and CREW LLP
By Nancy Pizzo
NANCY A. PIZZO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

VEERASMAMY VIJAYEN et al.

Application No.: 09/165,513

Filed: 2 OCTOBER 1998

For: METHOD FOR PRODUCING RECORDING
MEDIA HAVING PROTECTIVE OVERCOATS
HIGHLY TETRAHEDRAL AMORPHOUS
CARBON

Examiner: Unassigned

Art Unit: 1723

**PETITION TO REVIVE AN
UNINTENTIONALLY
ABANDONED APPLICATION
UNDER 37 CFR §1.137(b)**

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Box DAC,
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully Petition that the above-identified application be revived under 37 CFR §1.137(b). The entire delay in filing the required reply, from the due date for the reply, until the filing date of this Petition, was unintentional. In support of this Petition, Applicants provide the following:

- The required Reply is filed herewith. The present application (Application No. 09/165,513) was filed on October 2, 1998 without the U.S. Patent Application fee. The Notice of Missing Parts was mailed from the U.S. Patent Office on October 22, 1998. A Response to the Notice to File Missing Parts of Application, together with authorization for the Patent Application Filing Fee as set forth in §1.27 and the surcharge set forth in §1.16(e) is attached hereto.
- Please deduct the petition fee, pursuant to 37 CFR §1.17(m), of \$1,210.00 from the Deposit Account No. 20-1430 of the undersigned. Please charge any additional fees or credit overpayment to the above Deposit Account. This Petition is submitted in duplicate.

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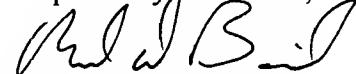
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- As noted above, the entire delay in filing the enclosed Reply, from the due date for the Reply until the filing date of this Petition, was unintentional.
- Applicants note that the subject application was filed after June 8, 1995, so no terminal disclaimer is required for revival of this case under §1.137(c). If the Patent Office believes that a terminal disclaimer is required for this case, Applicants request that Applicants' agent as identified below be telephoned to expedite revival of this application.

As noted above, the subject divisional application was originally filed on October 2, 1998. On about October 9, 1998, the Assignee of this application at the time of filing, StorMedia, ceased operations and declared bankruptcy under Chapter 11. A Notice to File Missing Parts of Application was mailed from the U.S. Patent Office on October 22, 1998 requesting payment of the filing fees set forth in §1.27, together with the surcharge set forth in §1.16(e). A Notice of Abandonment was mailed on August 27, 1999 from the U.S. Patent Office.

On about December 9, 1999, the U.S. Bankruptcy Court for the Northern District of California, San Jose Division, issued a Court Order approving Assignment of the subject application to United Module Corporation (UMC). Between about December 9, 1999 and January 13, 2000, agents for UMC worked to review the status of the assigned rights and to get in contact with Applicants' undersigned representative. On about January 13, 2000, agents of UMC provided Applicants' undersigned representative a copy of the Court Order approving the Assignment of Rights. The present Petition has been diligently filed after review of the history of this case. Hence, once again, the entire delay in filing this Petition from the due date for the reply has been unintentional.

Respectfully submitted,



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